

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NATIONAL BUSINESS AVIATION ASSOCIATION,  
INC.,

Plaintiff,

-against-

THE TOWN OF EAST HAMPTON,

Defendant.

No. 2:22-cv-02824-JS-ST

**SUPPLEMENTAL DECLARATION OF JAMES D. HERSCHLEIN**

I, James D. Herschlein, declare as follows:

1. I am a partner at the law firm of Arnold & Porter, LLP, counsel for Plaintiff National Business Aviation Association, Inc. (“NBAA”). I am licensed to practice law in the State of New York and have been admitted to practice before this Court.

2. I submit this supplemental declaration to provide the Court with additional documents in preparation for today’s hearing regarding NBAA’s motions for a temporary restraining order and preliminary injunction.

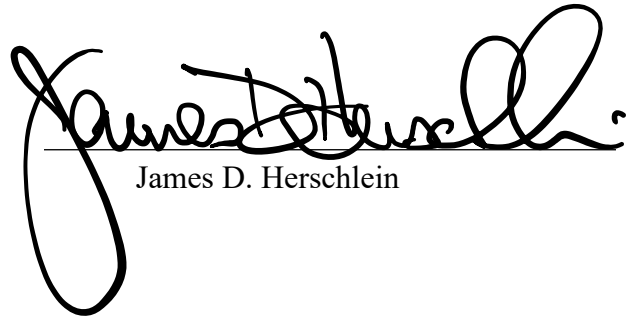
3. Attached to this declaration as Exhibit J is a true and correct copy of a January 27, 2022 letter from Tom McCormick (Chair and Board of Directors of the Eastern Region Helicopter Association), Alex Burkett (Director of Safety and Regulatory Affairs at the General Aviation), Cade Clark (Vice President, Government Affairs at the Helicopter Association International), and Alex Gertsen (Director, Airports and Ground Infrastructure at the National Business Aviation Association) to Marie T. Kennington Gardiner (Regional Administrator at the Federal Aviation Administration).

4. Attached to this declaration as Exhibit K is a true and correct copy of a February 2, 2022 letter from Marie T. Kennington-Gardiner to Peter Van Scoyoc, Supervisor, Town of East Hampton.

5. Attached to this declaration as Exhibit L is a true and correct copy of a March 9, 2022 letter from Marie T. Kennington-Gardiner to Alex Gertzen.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed: May 16, 2022  
New York, New York



James D. Herschlein